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EXAMINER

PARRY, CHRISTOPHER L

ART UNIT

PAPER NUMBER

2623

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/733,185	<b>Applicant(s)</b> BHATT, BHAVESH B.	
	<b>Examiner</b> CHRIS PARRY	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 47 and 49-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 47 and 49-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2008 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 25 July 2008 has been entered.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: **100** in figure 1. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the

examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 47 and 49-51 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument (page 7, 2nd full ¶) starting Tsukidate and Williams fail to disclose or suggest receiving and storing a second EPG, the examiner respectfully disagrees.

Williams teaches system controller 104 comprises program database 900, which is updated periodically by receiving updates or "a second EPG" from a remote server to facilitate updating the program listings (Col. 8, lines 41-56). Williams further teaches program database 900 is used to identify program which may be of particular interest to user based on the user profile. Thus, each time the program database is updated or "second EPG" is received, the processor searches and identifies program of interest in program database 900 (Col. 8, lines 41-48 and Col. 11, line 61 to Col. 12, line 5).

Furthermore, Williams teaches the process of figure 4, that is accessing programming database 900 to create a configurable program guide, is repeated periodically to facilitate new suggestions to be provided to the user. Thus system controller periodically repeats the process of making suggestions which coincides with periodically updating the program database 900 stored on system controller 104 (Col. 12, lines 33-40).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 47 and 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukidate et al. "Tsukidate" (USPN 6,507,950) in view of Williams et al. "Williams" (USPN 5,977,964).

Regarding Claim 47, Tsukidate discloses a method comprising:

a set-top receiver (31 – figure 5) receiving first data (collection keys 26, set by the user; Col. 8, line 57 to Col. 9, line 31, Col. 10, lines 9-13, & Col. 12, line 56 to Col. 13, line 17), wherein the data identifies a television channel (i.e., identifies recommended programs that have assigned television channel numbers) (Col. 13, lines 18-40 and 51-60);

a set-top receiver [31] receiving second data (retrieval key word summarized data 27) (Col. 8, line 57 to Col. 9, line 31 and Col. 12, line 56 to Col. 13, line 17);

a set-top receiver [31] receiving third data (collection key retrieval result summarized data 28) (Col. 8, line 57 to Col. 9, line 31 and Col. 12, line 56 to Col. 13, line 17);

the set-top receiver receiving a first electronic program guide (EPG) (i.e., program information) (Col. 9, line 65 to Col. 10, line 3);

the set-top receiver storing the first EPG to a hard disk (51 – figure 10) of the set-top receiver (Col. 12, lines 60-65);

the set-top receiver comparing the first data with data of the first EPG (“match” operation, Col. 12, lines 56-59; discussed at Col. 8, line 44 to Col. 9, line 31);

storing (i.e., moving) a first portion (i.e., collection keys 26) of the first EPG from the hard disk to a random access memory (RAM) (internal memory of control unit 55, Col. 12, lines 23-26) of the set-top receiver in response to the set-top receiver identifying a match between the first data and data of the first EPG (Col. 12, line 65 - Col. 13, line 14 and Col. 14, lines 25-34);

storing (i.e., moving) a second portion (i.e., retrieval key word summarized data 27) of the first EPG from the hard disk to a random access memory (RAM) (internal memory of control unit 55, Col. 12, lines 23-26) of the set-top receiver in response to the set-top receiver identifying a match between the second data and data of the first EPG (Col. 12, line 65 - Col. 13, line 14 and Col. 14, lines 25-34);

storing (i.e., moving) a third portion (i.e., collection key retrieval result summarized data 28) of the first EPG from the hard disk to a random access memory (RAM) (internal memory of control unit 55, Col. 12, lines 23-26) of the set-top receiver in response to the set-top receiver identifying a match between the third data and data of the first EPG (Col. 12, line 65 - Col. 13, line 14 and Col. 14, lines 25-34); and

deleting the first, second, and third portion of the first EPG from the RAM (i.e., updating contents of RAM and by updating, old basic program information data is

inherently removed in order to make room for updated data in memory and would not be unnecessarily stored in two locations; see Col. 13, lines 44-56).

Tsukidate further teaches moving portions of the first EPG matching a “recommended programs” attribute (Col. 10, lines 8-13) and using the RAM (55 - figure 10) to cache the portions of the first EPG retrieved and extracted from the hard disk (51 - figure 10) by operation of the processor (Col. 13, lines 9-17). Tsukidate further discloses utilizing internal memory or RAM as cache memory to store basic program information or first portion of the first EPG so it can be read from internal memory 55 and displayed instantaneously (Col. 14, lines 25-35). Tsukidate additionally discloses updating the program information stored in internal memory 55 and storing data back to disk unit 51. By moving program data to disk unit 51, as is known in the art, receiver 31 is free to delete data that was previously stored in memory 55 in order to allow storage of updated data. Thus, Tsukidate discloses it is known to store master data or “first EPG data” to a hard disk and to store a portion of the stored master data or “first EPG data” on a RAM.

However, Tsukidate fails to explicitly disclose receiving second and third data to the first EPG, wherein the second and third data identify a channel and a time slot, respectively; comparing the second and third data to the EPG; and receiving a second electronic program guide.

In an analogous art, Williams discloses a method comprising:

a set-top receiver (104 – figure 1 and 600 – figure 6; system controller 600 has same functionality as system controller 104 and system controller may be a set-top box;

Col. 3, lines 30-33 and Col. 14, lines 3-7) receiving first data (i.e., most frequently watched channels; Col. 6, lines 63-66), wherein the first data identifies a television channel (i.e., system controller 104 monitors user viewing habits and stores the most frequently watched channels in database 800) (Col. 6, line 63 to Col. 7, line 2 and Col. 8, lines 14-32);

the set-top receiver [104] receiving second data (i.e., top ten favorite shows), wherein the second data identifies a television program that can be presented on a television (i.e., system controller 104 monitors user viewing habits and stores the most frequently watched programs in database 800) (Col. 6, line 63 to Col. 7, line 2 and Col. 8, lines 14-32);

the set-top receiver [104] receiving third data (i.e., typical watching periods), wherein the third data identifies a time slot (i.e., system controller 104 monitors user viewing habits and stores the typical watching periods in database 800) (Col. 6, line 63 to Col. 7, line 2 and Col. 8, lines 14-32);

the set-top receiver [104] receiving a first electronic program guide (EPG) (i.e., a remote server provides program information for program database 900) (Col. 8, lines 41-65);

the set-top receiver [104] storing the first EPG to a hard disk (620 - figure 6) of the set-top receiver (i.e., program database 900 is stored in system controller 104 and system controller 104 comprises mass storage 620 for permanent storage of programming data) (Col. 8, lines 46-56 and Col. 14, lines 45-50);



the set-top receiver comparing the first data (i.e., most frequently watched channels) with data of the first EPG (program information) (Col. 7, lines 39-50 and Col. 8, lines 41-46);

the set-top receiver comparing the second data (i.e., top ten favorite shows, such as Michigan football games) with data of the first EPG (program information) (Col. 8, lines 41-46 and Col. 11, lines 21-46);

the set-top receiver comparing the third data (i.e., typical watching periods) with data of the first EPG (program information) (Col. 7, line 59 to Col. 8, line 3 and Col. 8, lines 41-46);

storing a first portion of the first EPG from the hard disk (620 – figure 6) to a RAM (614 – figure 6; used to provide temporary storage of programming data when executed by the processor 602) of the set-top receiver in response to the set-top receiver identifying a match between the first data and data of the first EPG (Col. 7, line 37 to Col. 8, line 3);

storing a second portion of the first EPG from the hard disk (620 – figure 6) to a RAM (614 – figure 6; used to provide temporary storage of programming data when executed by the processor 602) of the set-top receiver in response to the set-top receiver identifying a match between the second data and data of the first EPG (Col. 7, line 37 to Col. 8, line 3);

storing a third portion of the first EPG from the hard disk (620 – figure 6) to a RAM (614 – figure 6; used to provide temporary storage of programming data when executed by the processor 602) of the set-top receiver in response to the set-top

receiver identifying a match between the third data and data of the first EPG (Col. 7, line 37 to Col. 8, line 3 and Col. 11, lines 24-46) and;

deleting the first portion of the first EPG from the RAM after the first portion of the first EPG is copied from the RAM to the hard disk (Col. 14, lines 45-50);

the set-top receiver receiving a second (i.e., updated) electronic program guide (EPG) (i.e., program database 900 is part of system controller 104 and is updated periodically, that is a second EPG is received, by accessing a remote server) (Col. 8, lines 48-56);

the set-top receiver storing the second (i.e., updated) EPG to the hard disk (620 - figure 6) of the set-top receiver (i.e., program database 900 is stored in system controller 104 and system controller 104 comprises mass storage 620 for permanent storage of programming data) (Col. 8, lines 46-56 and Col. 14, lines 45-50);

the set-top receiver comparing the first data (i.e., most frequently watched channels) with data of the second EPG (i.e., each time the program database is updated or "second EPG" is received, the processor repeats the process of searching and identifying programs of interest in program database 900 (Col. 7, lines 39-50; Col. 8, lines 41-48; and Col. 11, line 61 to Col. 12, line 40);

the set-top receiver comparing the second data (i.e., top ten favorite shows, such as Michigan football games) with data of the second EPG (Col. 7, line 39 to Col. 8, line 3; Col. 8, lines 41-46 and Col. 11, line 61 to Col. 12, line 40);

the set-top receiver comparing the third data (i.e., typical watching periods) with data of the second EPG (Col. 7, lines 39-50; Col. 8, lines 41-48; and Col. 11, line 61 to Col. 12, line 40);

storing a first portion of the second EPG from the hard disk (620 – figure 6) to the RAM (614 – figure 6; used to provide temporary storage of programming data when executed by the processor 602) of the set-top receiver in response to the set-top receiver identifying a match between the first data and data of the second EPG (Col. 7, line 37 to Col. 8, line 3);

storing a second portion of the second EPG from the hard disk (620 – figure 6) to the RAM (614 – figure 6; used to provide temporary storage of programming data when executed by the processor 602) of the set-top receiver in response to the set-top receiver identifying a match between the second data and data of the second EPG (Col. 7, line 37 to Col. 8, line 3);

storing a third portion of the second EPG from the hard disk (620 – figure 6) to the RAM (614 – figure 6; used to provide temporary storage of programming data when executed by the processor 602) of the set-top receiver in response to the set-top receiver identifying a match between the third data and data of the second EPG (Col. 7, line 37 to Col. 8, line 3 and Col. 11, lines 24-46).

Williams teaches that customized program guide enhances to the user's enjoyment of the system (Col. 3, lines 20-27), and that the RAM provides only temporary storage of data when executed by the processor, while the hard disk provides long-term storage (Col. 14, lines 45-50). Williams further teaches a customized

EPG can be displayed based on any of the user preferences, such as most watched channels, top ten favorite programs and even typical watching periods and system controller scans program information for matches to the user's preferences (Col. 6, line 65 to Col. 7, line 2 and Col. 8, lines 14-48).

Williams teaches system controller 104 comprises program database 900, which is updated periodically by receiving updates or "a second EPG" from a remote server to facilitate updating the program listings (Col. 8, lines 41-56). Williams further teaches program database 900 is used to identify program which may be of particular interest to user based on the user profile. Thus, each time the program database is updated or "second EPG" is received, the processor periodically repeats the process of searching and identifying programs of interest in program database 900 (Col. 8, lines 41-48 and Col. 11, line 61 to Col. 12, line 40).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Tsukidate to include receiving first data identifying a television channel, second data identifying a television program, and third data identifying a time slot; comparing the first, second, and third data to data of the EPG; storing first, second, and third portions of the EPG to RAM in response to identifying a match between the first, second, and third data and data of first, second, and third portions of the EPG, and receiving a second EPG as taught by Williams, thereby enhancing the user's enjoyment of the system.

Regarding Claim 49, Tsukidate discloses a method comprising:

a set-top receiver (31 – figure 5) receiving first set of data (collection keys 26, set by the user; Col. 8, line 57 to Col. 9, line 31, Col. 10, lines 9-13, & Col. 12, line 56 to Col. 13, line 17), wherein each data of the first set identifies a respective television channel (i.e., identifies recommended programs that have assigned television channel numbers) (Col. 13, lines 18-40 and 51-60);

the set-top receiver receiving a first electronic program guide (EPG) (i.e., program information) (Col. 9, line 65 to Col. 10, line 3);

the set-top receiver storing the first EPG to a hard disk (51 – figure 10) of the set-top receiver (Col. 12, lines 60-65);

the set-top receiver comparing each data of the first set with data of the first EPG (“match” operation, Col. 12, lines 56-59; discussed at Col. 8, line 44 to Col. 9, line 31);

storing (i.e., moving) a plurality of first portions (i.e., collection keys 26, retrieval key word summarized data 27, and collection key retrieval result summarized data 28) of the first EPG from the hard disk [51] to a random access memory (RAM) (internal memory of processor 55, Col. 12, lines 23-26) of the set-top receiver in response to the set-top receiver comparing each data of the first set with data of the first EPG (Col. 12, line 65 - Col. 13, line 14 and Col. 14, lines 25-34);

accessing one or more of the first portions of the first EPG (i.e., recommend programs) stored in the RAM (Col. 12, line 56 to Col. 13, line 56);

the set-top receiver detecting one of the first portions of the first EPG stored in the RAM, which is less frequently accessed than the other first portions of the first EPG

stored in the RAM (i.e., retrieving portions of EPG for storage in RAM based on frequency of utilization, Col. 13, lines 10-35); and

moving the detected one of the first portions of the first EPG stored in the hard disk (Col. 13, lines 41-56).

Tsukidate further teaches moving portions of the EPG matching a “recommended programs” attribute (Col. 10, lines 8-13) and using the RAM (55 - figure 10) to cache the portions of the EPG retrieved and extracted from the hard disk (51 - figure 10) by operation of the processor (Col. 13, lines 9-17). Tsukidate further discloses utilizing internal memory or RAM as cache memory to store basic program information or first portion of the EPG so it can be read from internal memory 55 and displayed instantaneously (Col. 14, lines 25-35). Tsukidate additionally discloses updating the program information stored in internal memory 55 and storing data back to disk unit 51. By moving program data to disk unit 51, as is known in the art, receiver 31 is free to delete data that was previously stored in memory 55 in order to allow storage of updated data. However, Tsukidate fails to explicitly disclose storing a plurality of first portions of the EPG from the hard disk to a RAM of the set-top receiver in response to the set-top receiver comparing each data of the first set with data of the EPG and specifically disclosing receiving a second EPG.

In an analogous art, Williams discloses a method comprising;

a set-top receiver (104 – figure 1 and 600 – figure 6; system controller 600 has same functionality as system controller 104 and system controller 104 may be a set-top box; Col. 3, lines 30-33 and Col. 14, lines 3-7) receiving a first set of data (i.e., user

preferences stored in user profile database 800), wherein each data of the first set identifies a respective television channel (i.e., system controller 104 monitors user viewing habits and store most frequently watched channels in database 800) (Col. 6, line 63 to Col. 7, line 2 and Col. 8, lines 14-32);

the set-top receiver [104] receiving a first electronic program guide (EPG) (i.e., a remote server provides program information for program database 900) (Col. 8, lines 41-65);

the set-top receiver [104] storing the first EPG to a hard disk (620 - figure 6) of the set-top receiver (i.e., program database 900 is stored in system controller 104 and system controller 104 comprises mass storage 620 for permanent storage of programming data) (Col. 8, lines 46-56 and Col. 14, lines 45-50);

the set-top receiver [104] comparing each data of the first set with data of the first EPG (program information) (Col. 7, lines 39-50 and Col. 8, lines 41-46);

storing a plurality of first portions of the first EPG from the hard disk (620 – figure 6) to a RAM (614 – figure 6; used to provide temporary storage of programming data when executed by the processor 602) of the set-top receiver in response to the set-top receiver comparing each data of the first set with data of the first EPG (Col. 7, line 37 to Col. 8, line 3 and Col. 11, lines 24-46);

moving the detected one of the first portions of the first EPG stored in the RAM to the hard disk (Col. 14, lines 45-50);

the set-top receiver receiving a second (i.e., updated) EPG (i.e., program database 900 is part of system controller 104 and is updated periodically, that is a second EPG is received, by accessing a remote server) (Col. 8, lines 48-56);

the set-top receiver storing the second (i.e., updated) EPG to the hard disk (620 - figure 6) of the set-top receiver (i.e., program database 900 is stored in system controller 104 and system controller 104 comprises mass storage 620 for permanent storage of programming data) (Col. 8, lines 46-56 and Col. 14, lines 45-50);

the set-top receiver comparing each data of the first set with data of the second EPG (i.e., each time the program database is updated or "second EPG" is received, the processor repeats the process of searching and identifying programs of interest in program database 900 (Col. 7, lines 39-50; Col. 8, lines 41-48; and Col. 11, line 61 to Col. 12, line 40);

storing a plurality of first portions of the second EPG from the hard disk (620 – figure 6) to a RAM (614 – figure 6; used to provide temporary storage of programming data when executed by the processor 602) of the set-top receiver in response to the set-top receiver comparing each data of the first set with data of the second EPG (Col. 7, line 37 to Col. 8, line 3 and Col. 11, lines 24-46).

Williams teaches that customized program guide enhances to the user's enjoyment of the system (Col. 3, lines 20-27), and that the RAM provides only temporary storage of data when executed by the processor, while the hard disk provides long-term storage (Col. 14, lines 45-50). Williams further teaches a customized EPG can be displayed based on any of the user preferences, such as most watched



channels, top ten favorite programs and even typical watching periods and system controller scans program information for matches to the user's preferences (Col. 6, line 65 to Col. 7, line 2 and Col. 8, lines 14-48).

Williams teaches system controller 104 comprises program database 900, which is updated periodically by receiving updates or "a second EPG" from a remote server to facilitate updating the program listings (Col. 8, lines 41-56). Williams further teaches program database 900 is used to identify program which may be of particular interest to user based on the user profile. Thus, each time the program database is updated or "second EPG" is received, the processor periodically repeats the process of searching and identifying programs of interest in program database 900 (Col. 8, lines 41-48 and Col. 11, line 61 to Col. 12, line 40).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Tsukidate to include storing a plurality of first portions of the EPG from the hard disk to a RAM of the set-top receiver in response to the set-top receiver comparing each data of the first set with data of the EPG, and receiving a second EPG as taught by Williams, thereby enhancing the user's enjoyment of the system.

Further, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Tsukidate to include moving the detected one of the first portions of the EPG stored in the RAM to the hard disk, as taught by Williams, to create more space in the cache memory to allow for newly updated information that is frequently accessed to be stored and copying old data for the

purpose of permanently storing the data on a reliable medium as well as deleting the old data from cache so as not to unnecessarily waste system resources by storing data on two storage mediums.

As for Claim 50, Tsukidate and Williams disclose, in particular Williams teaches:  
the set-top receiver receiving a second set of data, wherein each data of the second set identifies a respective program that can be presented on a television (i.e., system controller 104 monitors user viewing habits and stores the most frequently watched programs in database 800) (Col. 6, line 63 to Col. 7, line 2 and Col. 8, lines 14-32);

the set-top receiver comparing each data of the second set (i.e., top ten favorite shows, such as Michigan football games) with data of the first EPG (program information) (Col. 8, lines 41-46 and Col. 11, lines 21-46);

storing a plurality of second portions of the first EPG from the hard disk (620 – figure 6) to the RAM (604 – figure 6) of the set-top receiver in response to the set-top receiver comparing each data of the second set with data of the first EPG (Col. 7, line 37 to Col. 8, line 3 and Col. 11, lines 24-46).

As for Claim 51, Tsukidate and Williams disclose, in particular Williams teaches:  
the set-top receiver receiving third set of data, wherein the set of data identifies a respective time slot (i.e., system controller 104 monitors user viewing habits and stores

the most frequently watched programs in database 800) (Col. 6, line 63 to Col. 7, line 2 and Col. 8, lines 14-32);

the set-top receiver comparing each data of the third set with data of the first EPG (program information(Col. 7, line 59 to Col. 8, line 3 and Col. 8, lines 41-46);

storing a plurality of third portions of the first EPG from the hard disk (620 – figure 6) to the RAM (604 – figure 6) of the set-top receiver in response to the set-top receiver comparing each data of the third set with data of the first EPG (Col. 7, line 37 to Col. 8, line 3 and Col. 11, lines 24-46).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRIS PARRY whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:00 AM EST to 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CHRIS PARRY  
Examiner  
Art Unit 2623

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